

Delegated Report

Planning Ref: 25/00841/FUL

Applicant: Mr P Houlder

Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: The Cottage, 3 Nock Verges, Earl Shilton

Proposal: Change of use from residential dwelling to offices

1. Recommendations

- **Grant planning permission** subject to planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application seeks planning permission for the change of use of a detached 3-bed dwelling to offices, serving as the main administrative head office for an electrical contracting business.
- 2.2. 6 full-time members of staff are proposed
- 2.3. Proposed hours of opening would be 08:30-16:30 Monday to Friday only.
- 2.4. 6 car parking spaces are proposed.

3. Description of the site and surrounding area

- 3.1. The site comprises a two-storey detached dwelling, with a substantial and gated driveway area to the front and side.
- 3.2. The site is located outside the settlement boundary of Earl Shilton and located in open countryside.
- 3.3. There are 7 other addresses on Nock Verges, with what appear to be at least 3 commercial uses, comprising a used vehicle parts shop, a canine swimming centre, a commercial recovery and repair business, as well as a farm use.

4. Relevant planning history

96/00742/FUL

- Extension to dwelling and enlargement of residential curtilage
- PER
- 21.10.1996

21/00533/FUL – Nock Verges Cottage

- Change of use of swimming pool to canine swimming centre (sui generis) (retrospective)
- PER
- 25.10.2021

24/00813/FUL

- Installation of a ground mounted solar panel system
- PER
- 19.11.2024

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No representations have been received.

6. Consultation

- 6.1. No objections received from the following consultees:
 - LCC Highways (LHA)
 - HBBC Pollution
 - HBBC Drainage
 - HBBC Waste
 - Earl Shilton Town Council

7. Policy

- 7.1. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.2. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Other matters

Assessment against strategic planning policies

- 8.2. Policy DM1 of the adopted Site Allocations and Development Management Policies DPD (SADMP) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved.
- 8.3. The application site lies outside the settlement boundary of Earl Shilton and is in open countryside where Policy DM4 of the SADMP applies, in order to protect the countryside from unsustainable development. Development in the countryside is only considered sustainable in certain circumstances outlined in criteria a to e of this policy. Criterion b of Policy DM4 sets out one such scenario where development in the countryside would be considered to be sustainable, as follows: The proposal involves the change of use, re-use, or extension of existing buildings which lead to the enhancement of the immediate setting.

- 8.4 The proposal would represent the change of use of an existing building. There would be no external alterations, as to whether the development has led to an enhancement of the immediate setting is negligible. Notwithstanding the lack of exterior alterations or other enhancements, the change of use of the existing building in the countryside is considered to be a sustainable development and therefore in general accordance with Policy DM4 of the SADMP
- 8.5 Paragraph 91 of the NPPF requires the LPA to apply a sequential test to planning applications for main town uses which are neither in an existing centre nor in a accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 8.6 Paragraph 93 of the NPPF states that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.
- 8.7 The proposal is for a small scale rural office located in the open countryside. The proposal is therefore considered acceptable in principle and in accordance with paragraph 93 of the NPPF.
- 8.8 Due to the rural location of the site, a condition is recommended to restrict the use to Use Class E(g)(i) only and to ensure that the use does not change to any other use within Class-E.
- 8.9 A further condition is recommended to restrict the number of employees on site at any one time to 6. This seeks to ensure that office use remains as small-scale and allows for the LPA to consider the impacts of the proposal if it were to increase in capacity.
- 8.10 The proposal is therefore considered to be in accordance with Policy DM4 of the SADMP and paragraph 93 of NPPF.

Design and impact upon the character of the area

- 8.11 Policy DM10 of the adopted Site Allocations & Development Management Policies requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect neighbouring buildings and the local area generally.
- 8.12 No external alterations are proposed. In any event, the existing house is located to the end of a cul-de-sac and with a gated front drive, and therefore not immediately visible on the street-scene.
- 8.13 A note to the applicant is recommended that any advertisements may be subject to an application for advertisement consent.
- 8.14 The proposal is therefore considered to be in accordance with Policy DM10 of the SADMP and paragraph 93 of NPPF.

Impact upon neighbouring residential amenity

- 8.15 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.16 The Council's Environmental Health Team have been consulted on the application and raise no objections to the proposal.

- 8.17 A condition is recommended for the hours of use to be in accordance with those noted on the application form – 08:30-16:30 Monday-Friday only. An accompanying condition is recommended regarding deliveries.
- 8.18 The aforementioned conditions in relation to restricting the use of the site as well as the number of staff would also mitigate any adverse impacts in terms of any potential for adverse noise and disturbance.
- 8.19 The proposal is therefore considered to be in accordance with Policy DM10 of the SADMP and paragraph 93 of NPPF.

Impact upon highway safety

- 8.20 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety.
- 8.21 Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.22 The LHA have been consulted on the application but made no comments.
- 8.23 The gross internal floor area of the building is 212 square metres. The LHA parking standards require at least 1 parking space for every 25 square metres.
- 8.24 The application proposes that there would be a maximum of 6 full time members of staff. The existing driveway is extensive, running across the front and side of the house and appears to adequately accommodate at least 6 cars, with provision for cars to adequately manoeuvre within the site and exit in a forward motion.
- 8.25 As a condition has been recommended for a maximum of 6 employees on site at any one time, it is considered that on-site parking provision for the proposal would be sufficient.
- 8.26 LHA guidance also requires 2 secure and covered cycle spaces. However, given that the site is gated and with relatively extensive grounds, including two outbuildings, it is considered that a condition for dedicated cycle parking is unnecessary in this instance.
- 8.27 A carriageway widening scheme of Nock Verges was proposed and implemented under approved planning application 21/00533/FUL for the change of use of the swimming pool of Nock Verges Cottages to a canine swimming centre. This was implemented based on the worst-case scenario of 40 two-way vehicle trips to the site per day.
- 8.28 It is therefore considered that the impact on the road network would not be severe and there would be adequate parking and turning available within the site, and in accordance with Policies DM17 and DM18 of the SADMP and the NPPF.

Other Matters

- 8.29 The Council's Drainage Officer has been consulted and raises no objection to the proposal. In any event, the site is located outside of any designated flood risk zone.
- 8.30 The Council's waste Officer has been consulted on the application and made no comments. Given the small scale nature and administration function of the use, it is considered that waste storage and collection provisions would be broadly similar to the existing residential use.

9. Equality implications

9.1 **Where No Known Implications** Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

10. Conclusion

10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of conditions.

11. Recommendation

- **Grant planning permission** subject to planning conditions outlined at the end of this report

11.1 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan, received 8 September 2025

Existing and Proposed Floor Plans and Elevation - P102, received 28/10/2025

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The premises shall be used as offices only under Use Class E(g)(i) and for no other purpose (including any other purpose in Schedule 2 to the Town & Country Planning (General Permitted Development) Order 2015), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure the proposed development is compatible with existing development in the locality in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

4. The premises shall be restricted to the use of up to six employees at any one time.

Reason: To ensure the proposed development is compatible with existing development in the locality in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024)

5. The use shall not take place other than between the hours of 08:30 to 16:30 Monday - Friday only and at no time on weekends and Bank or Statutory Public Holidays.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No deliveries shall be taken at or dispatched from the site outside the hours of 08:30 to 16:30 Monday - Friday only and at no time on weekends and Bank or Statutory Public Holidays.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.2 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. A separate consent may be required under the Town and Country Planning (Control of Advertisement) Regulations 2007 in respect of the display of advertisements on these premises. Advice may be sought from the Local Planning Authority.